REMARKS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Initially, it is noted that pending claims 1 and 5 have been amended, and that claim 2 has been cancelled. Further, claim 6 has been added for consideration in the present amendment. Finally, withdrawn claims 3 and 4 have been amended. Claims 1 and 5 are the only pending claims that stand rejected.

Claims 1, 2, and 5 were rejected under 35 U.S.C. 102(b) as being anticipated by Goto et al. (JP 3142606). As mentioned above, claim 2 has been cancelled. The rejections of claims 1 and 5 are traversed for the following reasons.

Claim 1 has been amended, and as amended defines an automatic sampler having a needle, a first rinsing bath, a second rinsing bath, and a controller. The needle is adapted to suck a sample from a sample liquid bath and to inject the sample liquid into a sample introducing portion which is in fluid communication with a column of a liquid chromatography. The first rinsing bath is adapted to contain a first rinsing liquid, and the second rinsing bath is adapted to contain at least one kind of second rinsing liquid. The controller is configured to selectively execute at least one of a first and second rinsing operation. The first rinsing operation soaks the needle in the first rinsing liquid in the first rinsing bath, while the second rinsing operation soaks the needle in the second rinsing liquid in the second rinsing bath and exchanges the second rinsing liquid while the needle is kept inserted into the second

rinsing bath.

Goto teaches a method and device for rinsing an automatic sampler. Specifically, Goto teaches an automatic sampler wherein the needle is rinsed by drawing rinsing liquid directly into the needle itself. Once the rinsing liquid is drawn into the needle, the rinsing liquid is then expelled from the needle and into an empty tub. The expelled liquid in the tub is then discharged from the tub.

Initially, Goto fails to teach first and second rinsing baths adapted to contain rinsing liquids. Rather, Goto teaches only a first tub holding a rinsing liquid. As has been pointed out, the second tub of Goto is an empty tub that receives expelled rinsing liquid from the needle.

Further, Goto does not teach a controller that selectively executes at least one of a first and second rinsing operation. The Goto apparatus only teaches the performance of a single operation for cleaning the needle, that being to draw rinsing liquid into the needle, and to expel the liquid into the empty tub (any modifications of the Goto apparatus discussed in the disclosure still only reference following one set procedure). While Goto discusses certain modifications to the apparatus, there is no teaching that the apparatus can be controlled so as to selectively use only certain features. Accordingly, Goto does not teach a controller that can selectively execute more than one rinsing operation. The controller of claim 1 can selectively operate at least one of the first and second rinsing operations, and is therefore not anticipated by the apparatus disclosed in Goto.

Further still, Goto fails to teach a controller that can execute a second rinsing operation wherein the needle is soaked in a rinsing bath, and the liquid in the rinsing bath is exchanged while the needle is kept inserted in said rinsing bath. In this

regard, Goto does not teach an exchange of a rinsing liquid in a rinsing bath as defined in claim 1. However, even if the removal of the waste liquid expelled from the needle of Goto into the tub could be cited as a rinsing liquid exchange, the removal is not taught as taking place while the needle is kept inserted into the second rinsing bath.

Therefore, as amended, claim 1 recites features that are not taught by the Goto reference. As such, claim 1 is not anticipated by Goto. Reconsideration and withdrawal of the rejection is requested.

Claim 5 depends from claim 1, with the invention defined therein further including a pump that is fluidly connected to the second liquid bath irrespective of a position of the needle. The pump is configured to be controlled by the controller to supply the second rinsing liquid to the second rinsing bath so as to exchange the second rinsing liquid in the second rinsing bath.

Claim 5 is considered to be allowable over the art based on the dependency from claim 1. Further, claim 5 is considered to be independently allowable over Goto. Specifically, the pump defined in claim 5 is not taught by the Goto reference. Therefore, reconsideration and withdrawal of the rejection of claim 5 is requested.

New claim 6 depends from claim 5 and further defines the automatic sampler as including a switcher. The switcher defined in claim 6 is configured to select one of plural kinds of liquid as the second rinsing liquid supplied to the second rinsing bath.

Claim 6 depends from claim 5 and is considered allowable for the same reasons as claim 5. Further, the switcher defined in claim 6 is also not taught by the Goto reference. For these reasons, claim 6 is considered allowable over the art.

Favorable consideration of claim 6 is requested.

In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 18-0160, our Order No. NGB-15306.

Respectfully submitted,

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